IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2964 OF 2004

Babbi @ Hussain Mehboob Shaikh ...Applicant

Versus

State of Maharashtra ...Respondent

.....

Ms.Anjali Iyer for Applicant.

Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent.

.....

CORAM: A.M.KHANWILKAR, J.

OCTOBER 5, 2004.

P.C.

1. Heard Counsel for the parties. The Applicant is implicated for offence punishable under Sections 307, 324, 504 read with Section 34 of the Indian Penal Code registered with Vartak Nagar Police Station being C.R.No.I-125/03.

2. It is not in dispute that the investigation is already complete and charge-sheet is filed. There is no prospect of early disposal of the trial. Having regard to the totality of the

circumstances, as can be perused from the record, the Applicant can be released on bail on following conditions:

(a) The Applicant is released on bail in connection with C.R.No.I-125/03 registered with Vartak Nagar Police Station on executing personal bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with two local sureties in the like amount.

(b) The Applicant shall attend the proceedings before the Trial Court without fail, which is the condition for grant of bail. In case, the Applicant fails to appear before the Trial Court on any given date without sufficient cause, that can be a ground for cancellation of bail.

(c) The Applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(d) The Applicant shall extend full co-operation for early disposal of the trial

pending before the Additional Sessions Judge, Thane and if the Trial Court is of the opinion that the Applicant is responsible for the delay of the trial, that fact be recorded in the Roznama, which will be a ground for cancellation of bail.

(e) The Applicant shall not enter the jurisdiction of Vartak Nagar Police Station, except for making appearance before the Court and shall report to the nearest Police Station, i.e. Sakinaka Police Station, where the Applicant has decided to reside along with his maternal uncle Shri Shaikh Mehboob N. Shaikh on every Saturday between 11.00 a.m. to 2.00 p.m. during the pendency of the trial, failing which, it will be open to the prosecution to move for cancellation of bail.

. Application disposed of on the above terms.

A.M.KHANWILKAR, J.